

**Lucas County LEPC Meeting Minutes**  
**Lucas County Emergency Services Building**  
**June 4, 2009**

**Order of Business**

Chairman, Ryan Grant brought the meeting to order at 12:15 PM.

- March 19, 2009 minutes approved.
- A quorum of nine of the required thirteen groups was present.

**Old Business**

- Ryan Grant reported that new LEPC membership applications have been e-mailed to all current members. Applications are due by July 1, 2009

**Committee Reports**

- *Executive Committee:* The LEPC Contract with Mike Frey is set to expire on June 30, 2009. Ryan Grant reported that the Executive Committee recommends the LEPC enter into a six month contract with Mike, beginning in July. John Barnes made a motion to approve seconded by Eric Zgodzinski. Motion approved.
- *Training:* Ryan Grant reported the LEPC will work to hold facility workshops in January of 2010.
- *Exercise:* Ryan Grant reported that SERC has concurred with the LEPC exercise held in March. A new chair is needed for this sub-committee. The next exercise will be a full scale in 2010.
- *Finance:* Budget report attached. (See table 1)

Matt Heyrman reported on the current financial status of the LEPC. Based on the recent compliance activities, Matt is recommending the LEPC not seek any more cash advancements from the county.

- *Grants:* Eric Zgodzinski agreed to be Chair of the Grants Committee.
- *Plan Review:* Walt Van Dromme and Ryan Grant discussed the current status of the plan. This year the LEPC will focus on implementing past recommendations to the plan and next year a plan overhaul will occur.
- *Information Coordinator:* No Report

- *Emergency Coordinator:* Michelle Hughes-Tucker reported that she received a call regarding the spill trailer in Waterville. Waterville Fire believes the trailer is missing equipment. Mike Frey stated the trailer in Waterville and the trailer in Sylvania were not stocked evenly and this may account for missing equipment. Ryan Grant proposed putting together a committee to develop a policy regarding use and reimbursement.
- *Public Relations:* Robyn Sigler reported that the LEPC ran an article in May for the Toledo Blade. The next article will be planned for July of 2009. Robyn also reported that Kathy Silvestri has looked into pricing for running articles in the Toledo Free Press.
- *Compliance:* Tony Sloma reported that the subcommittee recently met and has recommendations to the LEPC.
  - Tony proposed revising the compliance policy to incorporate lower penalties for voluntary compliance and reducing compliance history research to three years. Motion to approve by Tony Sloma seconded by Joe Walter. Motion Passed
  - Proposed Counter Offers. (See table 2)
  - Facilities requesting waivers (See table 3)
  - Motion approved to send penalty letters for Late Tier II reports. (See table 4)
  - Motion approved to send penalty letters for late spill reports. (See table 5)

#### **New Business**

- John Barnes reported that a tree has been planted in honor of Gary Studer at Whitehouse Fire Department.
- The next LEPC meeting will be July 16, 2009 at 12: 15 PM.
- With no further business the meeting was adjourned.

Respectfully submitted,

*Michael Frey*

Consultant  
Lucas County LEPC

**Table 1: Budget Report**

	<b>Budgeted</b>	<b>Actual</b>	<b>Projected</b>
<b>2008 Carryover</b>	<b>\$ (11,878.70)</b>	<b>\$ (11,878.70)</b>	<b>\$ (11,878.70)</b>
<b>Lucas Co. OMB Cash Advance</b>	<b>\$ 20,000.00</b>	<b>\$ 20,000.00</b>	<b>\$ 20,000.00</b>
<b>2009 Beginning Balance</b>	<b>\$ 8,121.30</b>	<b>\$ 8,121.30</b>	<b>\$ 8,121.30</b>
<b>2009 Revenues</b>			
Grants - Federal	\$ 21,060.00	\$ -	\$ 19,060.00
Grants - State	\$ 58,476.00	\$ -	\$ 58,476.00
Other Receipts	\$ 11,000.00	\$ 13,490.06	\$ 30,000.00
<b>Total</b>	<b>\$ 90,536.00</b>	<b>\$ 13,490.06</b>	<b>\$ 107,536.00</b>
<b>2009 Expenditures</b>			
Contract Services	\$ 40,000.00	\$ 14,545.44	\$ 40,000.00
Supplies	\$ 200.00	\$ -	\$ 200.00
Postage	\$ 500.00	\$ 356.58	\$ 500.00
Copying	\$ 500.00	\$ -	\$ 500.00
Telecommunications	\$ 500.00	\$ 132.60	\$ 500.00
Training	\$ 5,000.00	\$ -	\$ -
Miscellaneous	\$ 1,615.00	\$ 1,236.28	\$ 2,500.00
Equipment	\$ 5,000.00	\$ -	\$ 5,000.00
<b>Total</b>	<b>\$ 53,315.00</b>	<b>\$ 16,270.90</b>	<b>\$ 49,200.00</b>
<b>Balance</b>	<b>\$ 45,342.30</b>	<b>\$ 5,340.46</b>	<b>\$ 66,457.30</b>
<b>Balance Less Debt Service</b>	<b>\$ 25,342.30</b>	<b>\$ (14,659.54)</b>	<b>\$ 46,457.30</b>

**Table 2: Proposed Settlement Offers 2007-2008 Late Tier II Reporting**

<b>2007-2008 Late Tier II</b>					
<b>Facility</b>	<b>Due Date</b>	<b>Non-voluntary submittal penalty</b>	<b>Revised Policy Penalty</b>	<b>Counter offer</b>	<b>LEPC Decision</b>
Ohio Pickling and Processing	3/1/2007	\$ 49,600	\$ 5,860	\$ 1,500	Approved
Delta Fuels	3/1/2007	\$ 61,800	\$ 6,310	\$ 1,310	Approved
Amerigas Propane	3/1/2008	\$ 292,000	\$ 6,620	\$ 2,500	Penalty Lowered to \$1620
Delta Fuels	3/1/2008	\$ 292,000	\$ 6,610	\$ 1,610	Approved
NuCentury Textile	3/1/2008	\$ 219,000	\$ 6,310	\$ 1,500	Approved
Ohio Bell Co. (Conant)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Clark St.)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Dorr St.)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Erie St.)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Glendale)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Huron)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Lewis)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. ( NY Ave)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Swanton)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Ohio Bell Co. (Sylvania)	3/1/2008	\$ 73,000	\$ 1,760	\$ 880	Approved
Quality Fuels	3/1/2008	\$ 219,000	\$ 6,310	\$ 1,200	Approved
Seneca Petroleum	3/1/2008	\$ 219,000	\$ 6,310	\$ 1,377	Approved
St. Anne Hospital	3/1/2008	\$ 146,000	\$ 5,900	\$ 1,000	Approved
St. Vincent's Hospital	3/1/2008	\$ 146,000	\$ 5,900	\$ 1,000	Approved
Sun Chemical	3/1/2008	\$ 146,000	\$ 5,860	\$ 1,000	Approved

**Table 3: Facilities requesting waivers from penalties**

<b>Facility</b>	<b>Status</b>	<b>LEPC Decision</b>
M&L Plating Works	Received economic hardship letter requesting Penalty be eliminated	Approved
Overnite Transportation Co.	UPS Freight requested penalty waiver due to new purchase of site	Approved
Daimler-Chrysler Toledo Terminal	Submitted paperwork regarding Chrysler bankruptcy	Approved
Ohio Module Manufacturing Co (OMMC)	Requesting penalty be eliminated due to economic hardship associated w/ Chrysler supplier	Approved
Panhandle Station (Dominion East Ohio)	claimed submitted on time to improper address, returned by USPS and resubmitted, request waiver	Approved
UPS Ground Freight	requested penalty waiver due to new purchase of site	Approved

**Table 4: 2009 Late Tier II Penalties**

<b>Facility</b>	<b>Date for Tier II</b>	<b>Repeat Offender</b>	<b>Due Date</b>	<b>Voluntary penalty (Former Policy)</b>	<b>2009 Policy</b>	<b>Status</b>
Airgas Specialty Gases (Formerly Linde)	4/3/2009	3	3/1/2009		\$503.00	revised policy, voluntary
Amerigas Propane	3/10/2009	4	3/1/2009	\$ 120.00		old policy, voluntary
Andersons Edwin Drive Elevator	3/3/2009	1	3/1/2009	\$ 30.00		old policy, voluntary
Avis Rent A Car	3/4/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Betco (Plant 1)	3/2/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Chrysler Toledo Terminal	4/2/2009	3	3/1/2009		\$505.00	revised policy, voluntary
David Bench Farms	4/3/2009	1	3/1/2009		\$ 29.10	revised policy, voluntary
Hertz Rent-A-Car	4/1/2009	3	3/1/2009		\$485.00	revised policy, voluntary

<b>Facility</b>	<b>Date for Tier II</b>	<b>Repeat Offender</b>	<b>Due Date</b>	<b>Voluntary penalty (Former Policy)</b>	<b>2009 Policy</b>	<b>Status</b>
Kuhlman Corp (Yard 1)	3/2/2009	3	3/1/2009	\$ 90.00		old policy, voluntary
Kuhlman Corp (Yard 4)	3/2/2009	3	3/1/2009	\$ 90.00		old policy, voluntary
Lakefront Lines	4/2/2009	1	3/1/2009		\$32.00	revised policy, voluntary
Lowe's of N. Toledo #1659	3/3/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Lowe's of Sylvania #1614	3/3/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Lowe's of SW Toledo #1643	3/3/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Mahoney Environmental	3/2/2009	1	3/1/2009	\$ 30.00		old policy, voluntary
Maumee Air Associates	3/5/2009	1	3/1/2009	\$ 30.00		old policy, voluntary
New Mather Metals	3/12/2009	2	3/1/2009	\$ 64.00		old policy, voluntary
NuCentury Textile	3/3/2009	4	3/1/2009	\$ 120.00		old policy, voluntary
Ohio Module Manufacturing Co (OMMC)	3/4/2009	3	3/1/2009	\$ 90.00		old policy, voluntary
Ohio Pickling and Processing	3/4/2009	3	3/1/2009	\$ 90.00		old policy, voluntary
P&J Industries	3/2/2009	1	3/1/2009	\$ 30.00		old policy, voluntary
Praxair	3/2/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
Quality Fuels	4/8/2009	1	3/1/2009		\$ 107.10	revised policy, voluntary
Seaway Fuels	3/23/2009	1	3/1/2009		\$ 47.10	complied after revision, before letters sent
Seneca Petroleum	4/1/2009	4	3/1/2009		\$ 523.00	revised policy, voluntary
Sherwin-Williams #4320	3/2/2009	2	3/1/2009	\$ 60.00		old policy, voluntary
St. Anne Hospital	4/2/2009	3	3/1/2009		\$ 512.00	revised policy, voluntary
St. Vincent's Hospital	4/1/2009	2	3/1/2009		\$ 528.00	revised policy, voluntary
Sun Chemical	4/9/2009	3	3/1/2009		\$ 449.00	revised policy, voluntary
Toledo POP (Elantic)	3/5/2009	1	3/1/2009	\$ 30.00		old policy, voluntary

<b>Facility</b>	<b>Date for Tier II</b>	<b>Repeat Offender</b>	<b>Due Date</b>	<b>Voluntary penalty (Former Policy)</b>	<b>2009 Policy</b>	<b>Status</b>
Vienna Junction Landfill	3/2/2009	1	3/1/2009	\$ 30.00		old policy, voluntary
Welder Service Co	4/23/2009	2	3/1/2009		\$4,663.00	revised policy, beyond voluntary date
Embarq (Waterville)	2/19/2009		3/1/2009			Sent to Wood County. LEPC voted to accept as on time.

**Table 5: Late Spill Reporting**

<b>SPILL#</b>	<b>ENTITY</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>AREA</b>	<b>MATERIAL</b>	<b>AMOUNT</b>	<b>Penalty</b>
0806-48-2820	Circle K / Keenan Advantage	1235 N Holland-Sylvania	Holland	Sewer	Gasoline	200 Gallons	\$ 8,800
0901-48-0152	ADT Transport	Alexis/Benore	Toledo	Sewer	Diesel	20-40 Gallons	\$ 5,075